

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- X
RICHARD LOOS,

Plaintiff,

- against -

COMFORT INNS, INC. and CHOICE HOTELS
INTERNATIONAL, INC.,

Defendants.

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**NOTICE TO TAKE
DEPOSITION UPON ORAL
EXAMINATION OF PLAINTIFF**

Index No.: 07-cv-6723(PKL)

Assigned to:
Hon. Peter K. Leisure

PLEASE TAKE NOTICE, that pursuant to Federal Rules of Civil Procedure, the defendant, **CHOICE HOTELS INTERNATIONAL, INC.**, will take the testimony of plaintiff before a Notary Public as to all relevant facts and circumstances in connection with the cause of action and allegations herein including liability and damages, on the 17th day of September, 2007 at 10:00 in the forenoon of that day at the law offices of **MARKS, O'NEILL, O'BRIEN & COURTNEY, P.C.**, 530 Saw Mill River Road, Elmsford, New York 10523.

PLEASE TAKE FURTHER NOTICE, that pursuant to the Federal Rules of Civil Procedure, the parties to be deposed are directed to produce at this examination, for the purpose of refreshing their recollections and for examinations, inspection and copying, all records, books, photographs, documents, correspondence and other writings and papers in their possession or available to them, which relate to the matters herein on which the parties are to be examined

under this notice.

Dated: Elmsford, New York
August 16, 2007

By: _____
James M. Skelly (JMS/4844)

**MARKS, O'NEILL, O'BRIEN
& COURTNEY, P.C.**

Attorneys for Defendant

**CHOICE HOTELS
INTERNATIONAL, INC.**

530 Saw Mill River Road
Elmsford, New York 10523
(914) 345-3701
File No.: 308.79853

TO: **LAW OFFICES OF ELIOT F. BLOOM, P.C.**

Attorneys for Plaintiff

RICHARD LOOS

114 Old Country Road, Suite 308
Mineola, New York 11501
(516) 739-5300

COMFORT INNS, INC.

425 East Route 59
Nanuet, New York 10954

AFFIDAVIT OF SERVICE BY MAIL

STATE OF NEW YORK)
 : ss:
COUNTY OF WESTCHESTER)

MARTHA AGIS, being duly sworn, deposes and says: deponent is not a party to this action, is over 18 years of age and resides in Pearl River, New York.

On the ____ day of August, 2007, deponent served the within **NOTICE TO TAKE DEPOSITION UPON ORAL EXAMINATION OF PLAINTIFF**, upon the parties herein stated below, by depositing and mailing same in a sealed envelope, with postage prepaid thereon, in an official depository of the U.S. Postal Service within the State of New York, at the following addresses:

TO: **LAW OFFICES OF ELIOT F. BLOOM, P.C.**

Attorneys for Plaintiff

RICHARD LOOS

114 Old Country Road, Suite 308

Mineola, New York 11501

(516) 739-5300

COMFORT INNS, INC.

425 East Route 59

Nanuet, New York 10954

MARTHA AGIS

Sworn to before me on this
____ day of August, 2007.

NOTARY PUBLIC